

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

In re §
§
SCC KYLE PARTNERS, LTD. § Case No. 12-11978-hcm-11
§ (Chapter 11)
Debtor. §

AGREED MOTION FOR CONTINUANCE

TO THE HONORABLE H. CHRISPTOPHER MOTT, UNITED STATES BANKRUPTCY JUDGE:

COMES NOW SCC Kyle Partners, LTD (“Debtor”) and files this its Agreed Motion for Continuance of Whitney Bank’s Amended Motion to Stay Pending Appeal Pursuant to Federal Rule Bankruptcy Procedure 8005 [Docket #144] currently set for August 1, 2013 at 1:00 p.m. in this case and would respectfully show the Court as follows:

1. On July 24, 2013 Whitney Bank filed its Amended Motion to Stay Pending Appeal (the “Motion to Stay”) and a motion to expedite the hearing on the Motion to Stay. Counsel for Debtor consented to the expedited hearing subject to availability.

2. This Court set the hearing on the Motion for Stay for 1:00 p.m. on August 1, 2013. However, Debtor’s representative has a conflict on that date and time.

3. Debtor and Whitney Bank have agreed to reset this hearing subject to the availability of the Court.

WHEREFORE, PREMISES CONSIDERED, Debtor and Whitney Bank respectfully request that this Court (a) continue the hearing set on Whitney Bank’s Amended Motion to Stay Pending Appeal as requested and (b) grant it such other and further relief as it may show itself justly entitled.

Respectfully submitted,

HOHMANN, TAUBE & SUMMERS, L.L.P.

By: /s/ Eric J. Taube

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ATTORNEYS FOR DEBTOR

CERTIFICATE OF CONFERENCE

I hereby certify that I have conferred with James Ruiz, counsel for Whitney Bank, who has agreed to the relief requested herein.

/s/ Eric J. Taube
Eric J. Taube

CERTIFICATE OF SERVICE

A true and correct copy of the foregoing was served by ECF delivery on the persons listed below, and all others receiving ECF notice, on this 29th day of July, 2013:

James G. Ruiz
Winstead PC
401 Congress Ave., Suite 2100
Austin, Texas 78701

/s/ Eric J. Taube
Eric J. Taube